

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**  
4/23/2020  
THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT  
TG

UNITED STATES OF AMERICA

v.

EDWARD BASES and  
JOHN PACILIO,

Defendants.

Hon. John Z. Lee

No. 18-cr-48

**RESPONSE TO MOTION TO SEAL**

The Court should direct the Government to disclose the contents of its under-seal filing to me forthwith (Dkt. No. 276).

On April 13, 2020, the Government filed a motion to seal with the Court—subsequently granted—stating that “the government is unable to explain in this publicly-filed motion its rationale for why it wishes to provide the Records under seal and *ex parte*.” Based on the Defendants’ filing yesterday regarding this motion (Dkt. No. 292), it is my understanding that this filing relates to “employment or personnel files” regarding my employment with the Department of Justice.

If that is accurate, there is no reason that this filing should not have been made without providing me with a copy—much less without even disclosing to me that the filing concerned me. The filing may be unlawful and constitute evidence to which I am now entitled. *See, e.g., Big Ridge, Inc. v. Fed. Mine Safety & Health Review Comm’n*, 715 F.3d 631, 650 (7th Cir. 2013); U.S. Department of Justice, “Judicial Remedies and Penalties for Violating the Privacy Act,” *available at* <https://www.justice.gov/jm/eousa-resource-manual-142-judicial-remedies-and-penalties-violating-privacy-act>.

If the Defendants' filing is accurate, this is the latest in a questionable pattern of behavior by the Department that appears designed to obscure and to deflect from potential misconduct by senior officials. I strongly suspect that, whatever the Government filed or proposes to file, it was incomplete or otherwise misleading, and that I can establish this if given the opportunity.

Dated: April 23, 2020

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ankush Khardori', with a stylized flourish at the end.

Ankush Khardori, Esq.  
ankushk@gmail.com